AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

Entered as second-class matter September 20, 1912, at the Post Office at Washington, D. C., under the Act of August 24, 1912. Acceptance for mailing at special rate of postage provided for in Sec. 1103, Act of October 3, 1917, authorized July 11, 1918.

WHOLE NO. 1181 — WILLIAM GREEN, President — WASHINGTON, D. C., SATURDAY, DECEMBER 2, 1933 — FRANK MORRISON, Secretary — VOL. 23, NO. 39

A single false belief may infect all the sound facts you pile in on top of it.—Edwin Slosson.

Editorials

Labor Representation on Code Authorities

The recommendation made by the Labor Advisory Board to the National Recovery Administration and by William Green, president of the American Federation of Labor, for adequate labor representation on all authorities and labor policy boards exemplifies such a just principle that the wonder is it was not applied when the first code was established.

NRA codes consist of two major sections. One section prohibits various forms of unfair practice which business concerns have resorted to in order to swipe trade from each other. These practices run all the way from price cutting to commercial bribery. This section of the codes attempts to civilize commercial transactions, and largely concerns the owners of industry.

The other major section of the codes is the labor section. This section guarantees the right of the workers to organize into bona fide trade unions without interference from employers and establishes a number of rules the observance of which is made mandatory. These rules prohibit employers from paying less than the minimum wage rates or working employees longer hours than the code establishes, and from making company union membership compulsory as the price of a job.

In the hearings before the NRA on practically every code the organized employers, speaking through their trade associations, persistently and militantly fight adequate wage rates, decent hours, the right of the workers to organize in effective trade unions for their protection and are especially vindicative against the company union prohibition. In short, while the employers are friendly to the unfair practice section of the codes they are hostile to the labor section, the proper administration of which is of vital interest to the employees.

In view of the well-known opposition of most of the trade associations to the labor section of the codes, it seems reasonable and appropriate that to secure impartial administration of the wages and hours restrictions and right-to-organize provisions of the codes adequate labor representation on the code authorities which administer both the business and labor sections. But so far the code authorities consist almost exclusively of the trade associations, which compiled the codes without consulting the workers, organized or unorganized, modified in certain instances by the inclusion of a small voteless representation of the NRA.

This is an anomaly that should be promptly corrected. As President Green of the A. F. of L. said: "Labor holds that if there is to be a partnership between industry, labor and the Government, each party should be treated with equal consideration." This equal consideration so vital to the success of the National Recovery Act will only become a fact when labor is adequately represented on all NRA code authorities and labor policy boards.

$9.72 "Minimum" Pay in Restaurant Code is "Palpable Fraud," Flore Says

President of Restaurant Employes' Union Maintains That by the Provision for "Gratuities" the Restaurant Owners Really Reduce to $4.86 the Minimum Wage Which They Pay and Compel the Employes to Solicit the Remaining $4.86 from the Public in "Tips."

Washington.—The indecently low minimum weekly wage of $9.72 for a 54-hour week and the restaurant owners' demand that restaurant employes "be paid as little as $4.86 by the employer, the remainder of the so-called $9.72 being wage to be solicited by the employe in tips," Mr. Flore declared that the proposals in the code betray "an almost uncivilized attitude toward employes on the part of employers and a total misconception upon the part of Administrators of their duty and their obligation in rescuing the nation from the degradation of starvation and total unemployment."

He insisted that the $9.72 minimum really means that restaurant employes and their families are doomed to starvation, adding: "Surely it is not going to be contended that this industry has a right to condemn its workers to such an existence by the imposition of a wage that makes anything else impossible!"

An Affront to the NRA

"It is our contention that the code as submitted by the restaurant industry is unworthy of serious consideration by any agency representing the dignity of the United States Government and that no such agency ought to entertain for a moment proposals which so grossly affront the very purpose of the Government exemplified in the National Recovery Administration.

Code Is "Palpable Fraud"

"As a matter of NRA policy, as laid down in Code 1 and subsequent codes approved, the document before us is an outrage and an affront to labor. As a matter of policy as disclosed in the utterances of the President, it is a tinsel thing in the guise of a code of fair trading. In the face of logic it is a palpable fraud.

Compels Public to Pay Half of Minimum

"To return again to the wage, let us point out the astounding provision by which the restaurant owners would compel the public to pay one-half of the minimum wage of their employes, commonly receive gratuities. That means, in this case, waiters. These workers are singled out by the employers for discrimination in a manner that is more deceptive than it is sordid.

Applies Minimum to Skilled Workers

"The minimum wage is presumed to apply to the very lowest paid class of workers. It is not presumed to be a wage for skilled workers. It is the fixed bottom of all wages in an industry. But by the strange device of bringing gratuities into the case, the employers in this proposed code seek to apply the proposed minimum wage to skilled workers.

"They do this by providing that gratuities shall be deducted from the amount of the minimum wage, until 50 per cent of the minimum wage shall have been so deducted.

"As we understand the strange proposal it is this: If the minimum wage is $10 a week and if the employee receives $5 in gratuities or tips, then the employer shall pay the employe only $5.

"This produces two results. One is the destruction of the stated minimum wage, for the employer no longer pays the full minimum wage as given in the proposed code. The second is a real and drastic reduction in the total pay of the waiter, who until now has been entitled to receive his wage and his tips had the combined amounting to a living income.

"We are surprised that this proposed code comes to this hearing with such a provision included. We shall not know what to think of the policies of NRA if that provision emerges in the code as ultimately approved.

Creates No Employment

"One of the objects of a code is to improve the conditions of the workers, so that employment may be increased, and so that buying power may be raised.

"This proposed code will create no new employment and, while it may increase buying power in some of the more miserably paid cities, will actually reduce buying power in other cities, largely by reason of the strange proposal relative to gratuities.

"Not only are these things true, but it is further true that no other industry has had the colossal effrontery to come before this Recovery Administration proposing that the buying public shall pay, directly and without subterfuge, a large portion of its wage bill.

Tipping Should Be Abolished

"This examination would prefer above all things that the tipping system be abolished entirely and we should be glad to cooperate to that end. It is a relic of feudalism, a disgraceful thing, an unfair practice. We would prefer a fair and directly paid wage. No such wage is proposed and we despair of being able to secure it at this time. But in its absence it is the height of unfairness to propose that those who have been compelled to depend upon tips for their living should now be deprived of that necessary sustenance by an industry which has throughout its long history been organized to exploit that system.

"To put the intended result briefly: If any waiter, not protected by a union contract backed by a union strong enough to enforce that contract, receives, for example, as much as $15 a week, his income will actually be reduced by the operation of this proposed code."

WAR BAN CAN ONLY COME FROM ORGANIZED LABOR

Enfield, England.—World peace will be nothing but a dream until the workers exercise their latent strength and functions of production and distribution of wealth, declared M. A Bevan, Labor member of Parliament, in a speech here on the menace of war.

"If you want world peace you must reorganize the economic life of the world," he said.

"The ordinary working men and women must assume control over economic activities and increase the workers' consuming power so that their employers will be able to invest their money here, and not have to look to other countries in which to invest it."

"There was only one guarantee for peace, he added, and that was to organize a labor movement so strong that their rulers would know that the nation was not behind them if they declared war.

54-Hour Week in the Restaurant Code Condemned by Frank Morrison

A. F. of L. Secretary Declares 44-Hour Week Is Absolutely Necessary to Provide Jobs for 125,0000 Unemployed Restaurant Workers—$9.72 Minimum Weekly Wage, Urged by Employers, Is Denial of Economic Justice.

Washington.—The 54-hour week which the National Restaurant Association seeks to impose upon restaurant workers by an NRA code of fair competition for the restaurant industry will not create jobs for any of the 125,000 idle restaurant employes and consequently fails to carry out the underlying purpose of the National Recovery Act to provide reemployment for the unemployed.

This was the positive statement made by Frank Morrison, secretary of the American Federation of Labor, in opening organized labor's objections to the code in the hearings held by the National Recovery Administration here.

Unimpeachable Government statistics, Mr. Morrison declared, demonstrate that reduction in the standard full-time work week to 44 hours is absolutely necessary to put the idle in the restaurant industry back on the payroll.

Plague of Long Hours

In support of his demand for the 44-hour week Mr. Morrison declared:

"One of the most flagrant evils in the industry is the long work day and work week.

"Unlike department stores and factories, hours in restaurants are not and never have been standardized. Though an employe is paid for but a certain number of hours a week, let us say 48, his work day may be so arranged that he is actually employed for a very long day; frequently they extend from 8 a. m. to 8 p. m. seven days a week.

"Such exhaustive work periods allow the restaurant employe no leisure time to spend with his family, or in cultural pursuits; for the person alone, the hours of labor should be drastically reduced.

125,000 Out of Work

"But both the National Recovery Administration and labor have an additional interest in hours of work. The purpose in providing maximum hours in a code of fair competition for an industry is to make possible the re-employment of jobless workers.

"Each code must be charged with the responsibility of re-employing all of its workers who have lost their jobs during the depression.

"According to the Bureau of the Census, the 1929 restaurant census of places which report to the Bureau, employed in 1929 an average of 419,894 full-time workers, and 57,782 part-time workers, or a total of almost half a million employes. A majority of these employes are women.

"According to the best information at our command, some 25 per cent of these workers are still hunting jobs.

"The problem, then, that the National Recovery Administration sets for the restaurant industry to solve, through the provision for maximum hours is the re-employment of some 125,000 unemployed workers who are now without jobs.

54-Hour Week Inhumanly Long

"Will the maximum hours proposed in the employers' code, given the present prospects for trade, sufficiently reduce the work day and the work week so that jobs will be provided for the large number of idle restaurant employes?

"The hours proposed by the employers are 54 hours per week, but even this inhumanly long work week is still further lengthened by the numerous exemptions demanded in the code.

"Look at the definition of the term maintenance employe, and see what a loophole that definition opens for the employment of workers more than 54 hours per week.

60 Hours for Peak Periods Condemned

"Then, the provision that during peak periods of the year the work week shall consist of 60 hours, and the provisions of Section 4 further weaken the apparent limitations on hours of labor. We know all too well what such exemptions mean. They mean nothing less than destruction of the limitation upon hours, and will result in endless administrative and enforcement difficulties.

"Under the employers' code the restaurant industry will not be required to hire an additional person over those who are now employed, and the thousands of unemployed restaurant workers will continue jobless.

44-Hours Necessary for Idle Relief

"Statistical data which will be presented in other statements at this hearing indicate that in order to make possible any substantial re-employment in the restaurant industry, an 8-hour day and 44-hour week must be set for the industry.

"Not only must the hours be limited to 44 per week and 8 per day, but the period throughout any one day during which these hours may be worked must be limited to 10 consecutive hours per day, in order to guard against excessive splitting of shifts, which would defeat the purpose of the Administration.

"I believe, Mr. Administrator, that the facts on both sides would clearly show that a working day longer than the one requested in this brief would make it impossible for the restaurant industry to make an adequate contribution to the reemployment drive."

Low Wages Flayed

Mr. Morrison also flayed the minimum weekly wage of $9.72 which the restaurant employers presented as their conception of the standard of living to which restaurant employes are entitled. He said that the deductions for meals mentioned by the code would enable employers to reduce even this low minimum to $2.72 cash per week, which he declared no man could live on, much less women wages."

He restated the $15 weekly minimum for a 44-hour week demanded by the Hotel and Restaurant Employes and Bartenders International Beverage Dispensers' International Alliance, at whose request he appeared before the National Recovery Administration.

N. Y. BAKERY CONCERN REFUSES NRA MEDIATION IN DRIVERS' STRIKE

New York.—The authority of the New York City NRA Regional Labor Board to mediate the strike of 325 wagon drivers and bakers employed by Dugan Brothers, Inc., was challenged by the company.

William Snyder, president of Local 138, International Brotherhood of Teamsters, Chauffers, Stablemen and Helpers of America, requested the Regional Board to act in the dispute.

Mrs. Elinore M. Herrick, vice-chairman of the Board requested both employers and employes to send representatives before the Regional Labor Board to state their sides of the controversy.

Mr. Snyder and a delegation of the drivers responded with the declaration that they were ready to begin negotiations.

A. C. Willis, attorney for the company and also chairman of the Brooklyn National Recovery Administration, refused to attend the meeting. He claimed that because the company has plants in Bridgeport and Hartford, Conn., it was engaged in interstate commerce and therefore beyond the jurisdiction of the local board. Mrs. Herrick appealed the case to the National Labor Board at Washington.

Judge Penalizes Blue Eagle Wage Chiseler; Charging Waitress for Meals Violates NRA

Detroit, Mich.—Judge Ralph Liddy in the Common Pleas Court here upheld the right of a waitress to collect another minimum hourly wage under the NRA when working part time without deduction for meals.

The suit, the first of its kind in Michigan, was brought by Ruth Bennett against the Karras Lunch to recover $7.75 owed, deducted as payment for three days for meals from the $4 cents earned by working three hours each day in the restaurant. Judge Liddy held:

"The employer and employe in this case agreed to be bound by the temporary code approved August 10, 1933, for the restaurant industry.

"That code, as interpreted by the Compliance Boards, provides for a minimum wage rate of 28 cents per hour in cities like Detroit.

"When plaintiff worked for only one meal per day, three hours for certain days making the pay 84 cents for those days, the employer may not deduct 25 cents for the meal eaten by the employe, but may only 59 cents, but must pay the full amount without deduction."

Boston Police Arrest Neckwear Workers In Intimidation Drive Against Unions

Boston, Mass.—The conviction of many city police department officials that the employers are in side with employers in attempts to prevent working women from forming or joining bona fide trade unions and carry on effective union work is pointedly illustrated by the anti-union policy of the Boston police in their attempts to sandbag the workers in the neckwear industry here in their legitimate work of improving the economic condition of women workers.

This antilabor policy in Boston was presented in testimony at the 1933 convention of the American Federation of Labor in Washington by Mrs. Mary Gordon of Boston, president of the Boston local of the Women's Trade Union League, who charged and charged the Boston police with making unwarranted arrests of girl workers and assisting employers in their efforts to "shackle" the industry, who are "shackling" the National Recovery Act, in the latter's endeavors to prevent the organization of their employes.

Mrs. Thompson, who was introduced to the convention by President William Green, declared that despite this brutality and "police terrorism" the workers and city officials and consequent handicaps, the work of union organization in the neckwear industry has been successful.

"In Boston at the present time the neckwear workers are in a very bitter fight. Up to this year we have gone along very well since we organized them, and that was six years ago.

"The employers, despite the fact that we have the National Recovery Act at this time, have made up their minds that they are going to go out from under, using all the arguments that are usually used in such cases and telling these people that they will get their pay any way without belonging to a union.

"The police in Boston are using our girls in very bitter fighting for what is right they are being taken when there is no charge or justification for it and they are getting police court records.

"I have been busy as an organizer for the Boston Women's Trade Union League, and up in Springfield, Mass., they recently placed a picket line into the ranks of organized labor no less than 2,000 people. A great many women were involved in that.

AFL Council Is Sustained In Salesmen Charter Case

The 1933 convention of the American Federation of Labor sustained a decision of the Executive Council refusing to grant a charter to a group of outside salesmen and collectors in Allegany county, Maryland. The matter came before the convention on an appeal of the Allegany Trades Council from the decision of the Executive Council.

"No action heretofore taken either by the Executive Council or the convention in any way precludes the organization of this group of workers by the affiliated organizations having jurisdiction over them," the convention said.

"SPLIT SHIFT" IN HOURS DENIED TOBACCO CHAIN

New York.—Grover A. Whalen, NRA Administrator for the State of New York, announced that the local NRA Compliance Board had denied the petition of a large tobacco chain to work its employes on a "split shift."

The decision affected not only the chain operating stores here, but its affiliate operating several hundred stores.

The company's employes now work eight hours a day in conformity with the provisions of the President's Agreement.

The officials of the tobacco chain proposed to work its employes four hours, have them take four hours off in the black period of the day, and then work four hours during the late afternoon and evening.

The Compliance Board ruled that the proposed "split shift" would establish hours equivalent to twelve hours. The board also held that the approval of the plan would defeat the purpose of the NRA, which is to shorten hours for those who have employment in order to create jobs for those who are idle.

NATIONAL LABOR BOARD ENDS TANNERY STRIKE

Gloversville, N. Y.—The National Labor Board's proposals for the immediate termination of the tannery strike of 2,000 tannery employes in Fulton county were accepted by the operators after two amendments had been made to the proposals, it was announced by the board of the A. F. of L. constituted a profound challenge to the economic policies applied by those who own and control American industry, for it was these policies which in 1929 have thrown millions of working men and women into the army of the unemployed and imposed upon them and their families a degree of suffering from destitution which not only is an outstanding disgrace to American institutions but a deep indictment of the "rugged individualists" who even now persist in attempting to revitalize these subversive policies and thus throw society back into the economic jungle from which it is gradually extricating itself under the "New Deal."

Complete Support for Roosevelt

Mr. Green followed this significant statement with the declaration that American institutions have been saved from chaos by the appropriation of $500,000,000 of Federal funds for the relief of unemployment and the enactment of the National Industrial Recovery Act, and pledged the unalloyed support of the millions of workers in the A. F. of L. to President Roosevelt in his transcendent efforts "to do something for the masses of the people."

Unemployment Crisis

"Imagine what would have been the situation if we had no National Recovery Act this winter," he said. "Suppose we faced the rigors of this winter under the old order! Suppose there were still fourteen millions idle and the credit of our cities impaired, our taxpayers loaded with their ability to pay impoverishing them, no money for food!

"What would have happened in every city with hungry men and women suffering for food? Would we not have had a most terrible condition in every city, town and community throughout the Nation?

NRA Saved Social System

"I say to you that every thinking American, every patriot who appreciates the seriousness of the situation as it confronted us, will thank Almighty God that Congress passed the National Recovery Act and the subsidiary measures then did in order to save our social system.

4,000,000 Idle Get Jobs

"Since March 4th armies of unemployed have been marching back to work. An army of four million is a mighty good army. Our figures, not the figures of the Government, the figures of the American Federation of Labor, figures which we have checked and double checked, as Andy and Amos say, figures that we have proven, show that four million men and women have gone back to work since last March.

"In addition the purchasing power of the Nation has been lifted from 15 to 20 per cent. That means that the people can buy more and that means that business is going to improve. More goods are going to be sold. People will be able to pay their debts better. The volume of business and the sale of goods will increase and slowly surely, progressively.

Back Up the President

"In my judgment, if we stand shoulder to shoulder, behind our great President, Mr. Roosevelt, we are going to march out of this depression into the greatest period of better day and a better life.

"I have no patience with those who condemn and find fault with the National Recovery Act. Labor has not lived perfectly under it. We have complaints to make—many of them. We have not gotten all of it that we hoped for or that we were entitled to, but the Act has given to the masses of the people, are not going to condemn the National Recovery Act because it did not bring to every night all that we think we are entitled to.

"The American Federation of Labor and its hosts, the millions of workers whom it has the honor to represent, are going to stand behind a great fighting leader, a great President of the United States, a great President of the times to do something for the masses of the people.

Apostles of Misery and Despair

"I have heard these criticisms coming from captains of industry, from those who have been the beneficiaries of those who want to go back to the old order, those who have been the beneficiaries of the most benevolent Government in the world, those who have prospered under the old order, those who have been the beneficiaries of the old system, those who have their money invested in industry, those who have been profiting in this great, common, humane, heroic effort to bring about a realization of this great ideal."

Roosevelt NRA Plan Has Full AFL Support, Green Says; Right to Earn Decent Living Must Be Secured

A. F. of L. Chief Tells Detroit Audience That Those Who Own and Control Industry Are Responsible For the Millions of Jobless—Old Jungle Method of Production Is Abolished and a New Order Established in Which Labor Can Secure Its Economic Rights Under the Principles of the National Recovery Act Administered by the President.

Detroit, Mich.—"I hold that if there is any one right which should be recognized above every other right—a right that is inherent, a right that is personal, a right that ought to have been incorporated in the Declaration of Independence when it said that the men and women of this Nation are entitled to the right to enjoy life, liberty, and the pursuit of happiness—it is the right to work.

"I would amend that declaration, if I were writing it now, by stating that men and women, in addition, have the right to earn a decent living."

The enunciation of this militant principle by William Green, president of the American Federation of Labor, in an address in the Naval Armory here tonight, was the keynote of the Detroit Federation of Labor, brought forth prolonged applause from the vast audience which filled the hall.

The entire assemblage, in which there were many automobile workers, organized and unorganized, sensed that the progressive position taken by the head of the A. F. of L. constituted a profound challenge to the economic policies applied by those who own and control American industry, for it was these policies which in 1929 have thrown millions of working men and women into the army of the unemployed and imposed upon them and their families a degree of suffering from destitution which not only is an outstanding disgrace to American institutions but a deep indictment of the "rugged individualists" who even now persist in attempting to revitalize these subversive policies and thus throw society back into the economic jungle from which it is gradually extricating itself under the "New Deal."

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LOTTERY LOAN TO PROVIDE FUNDS FOR PUBLIC WORKS

Vienna, Austria.—Austria is floating here a lottery loan to obtain interest lottery loan for 250,000,000 schillings (about $25,000,000), which is to be used in part for public works to give jobs to the unemployed. The lottery plan, combined with the loan, will provide prizes amounting to 2,500,000 schillings a year for the first 10 years. These will be distributed twice annually, in March and September. The principal annual prize is 1,000,000 schillings and there are 2,000 smaller prizes.

Roosevelt Refuses Opened For Use of British Workers

Aldershot, England.—G. H. Shakespeare, Parliamentary Secretary, Ministry of Health, took part in the opening at Aldershot recently of the first 25 of 238 houses which are being erected by the Workmen's Housing Association, 1933, Limited. The houses are to be built under the 1923 Housing Act, and they are to be let at rentals of 9 shillings and 9 shillings 9 pence, respectively. One type has two bedrooms and the other three, while both have bathrooms.